HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.9816 of 1998

Dated 20th day of March, 2007

Between:

Nelathuri Ramana .. Petitioner

And

The Deputy Registrar of the Cooperative Societies, Parvathipuram, Vizianagaram District
and another .. Respondents

O R D E R:

This writ petition is filed to quash the proceedings dated 20.8.1997 issued by the 1st respondent.

The only grievance of the petitioner is that he, being the President of Nayi Brahmin Cooperative Societies Federation, Hyderabad, received a notice dated 28.6.1997 from the 1st respondent which indicates that he misappropriated loan amounts to a tune of Rs.88,308/- sanctioned by Nayi Brahmin Cooperative Societies Federation under various schemes including a cash balance of Rs.850/-. Thereafter, the 1st respondent issued impugned proceedings dated 20.8.1997 directing the petitioner to pay the alleged amount together with 18% interest thereon.

Heard the learned counsel for the both the parties.

Evidently, the proceedings impugned were passed by the 1st respondent-Deputy Registrar of Cooperative Societies under Section 60(1) of the A.P. Cooperative Societies Act, 1964 (for short "the Act) against which an appeal is provided under Section 76 of the Act. Though this fact is mentioned in the proceedings impugned, the petitioner, without exhausting the remedy of appeal has filed this writ petition. However, as this Court, while ordering Rule Nisi, granted interim suspension of all further proceedings, it deems it appropriate to direct the petitioner to prefer an appeal as may be available under law before the Cooperative Tribunal within a period of six weeks from today and on such appeal being filed, the Cooperative Tribunal may

dispose of it expeditiously, and in any case, not later than three weeks from the date of filing of the appeal.

With the above direction, this writ petition is disposed of. No costs.

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20.03.2007

bcj